



General Assembly

January Session, 2013

Committee Bill No. 197

LCO No. 4058



Referred to Committee on JUDICIARY

Introduced by:
(JUD)

***AN ACT CONCERNING INDECENT EXPOSURE DIRECTED AT
PERSONS UNDER THE AGE OF SIXTEEN.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 53a-186 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2013*):

3 (a) A person is guilty of public indecency in the second degree when
4 [he] such person performs any of the following acts in a public place:
5 (1) An act of sexual intercourse as defined in subdivision (2) of section
6 53a-65; or (2) a lewd exposure of the body with intent to arouse or to
7 satisfy the sexual desire of the person; or (3) a lewd fondling or caress
8 of the body of another person. For the purposes of this section, "public
9 place" means any place where the conduct may reasonably be expected
10 to be viewed by others.

11 (b) Public indecency in the second degree is a class B misdemeanor.

12 Sec. 2. (NEW) (*Effective October 1, 2013*) (a) A person is guilty of
13 public indecency in the first degree when such person commits public
14 indecency in the second degree as provided in section 53a-186 of the

15 general statutes, as amended by this act, knowing that such conduct
16 will be viewed by a person under sixteen years of age.

17 (b) Public indecency in the first degree is a class D felony.

18 Sec. 3. Subdivision (2) of section 54-250 of the general statutes is
19 repealed and the following is substituted in lieu thereof (*Effective*
20 *October 1, 2013*):

21 (2) "Criminal offense against a victim who is a minor" means (A) a
22 violation of subdivision (2) of section 53-21 of the general statutes in
23 effect prior to October 1, 2000, subdivision (2) of subsection (a) of
24 section 53-21, subdivision (2) of subsection (a) of section 53a-70,
25 subdivision (1), (4), (8) or (10) or subparagraph (B) of subdivision (9) of
26 subsection (a) of section 53a-71, subdivision (2) of subsection (a) of
27 section 53a-72a, subdivision (2) of subsection (a) of section 53a-86,
28 subdivision (2) of subsection (a) of section 53a-87, section 53a-90a,
29 section 2 of this act, 53a-196a, 53a-196b, 53a-196c, 53a-196d, 53a-196e or
30 53a-196f, (B) a violation of subparagraph (A) of subdivision (9) of
31 subsection (a) of section 53a-71 or section 53a-92, 53a-92a, 53a-94,
32 53a-94a, 53a-95 [,] or 53a-96, [or 53a-186,] provided the court makes a
33 finding that, at the time of the offense, the victim was under eighteen
34 years of age, or a violation of section 53a-186, as amended by this act,
35 provided the court makes a finding that, at the time of the offense, the
36 victim was sixteen years of age or older but under eighteen years of
37 age, (C) a violation of any of the offenses specified in subparagraph (A)
38 or (B) of this subdivision for which a person is criminally liable under
39 section 53a-8, 53a-48 or 53a-49, or (D) a violation of any predecessor
40 statute to any offense specified in subparagraph (A), (B) or (C) of this
41 subdivision the essential elements of which are substantially the same
42 as said offense.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>October 1, 2013</i>	53a-186
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Sec. 2	<i>October 1, 2013</i>	New section
Sec. 3	<i>October 1, 2013</i>	54-250(2)

Statement of Purpose:

To establish that public indecency committed knowing that such conduct will be viewed by a person under sixteen years of age shall constitute a class D felony, and require those convicted of the offense to register with the Commissioner of Emergency Services and Public Protection as a sexual offender in the manner provided for those convicted of a criminal offense against a victim who is a minor.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]

Co-Sponsors: SEN. WITKOS, 8th Dist.

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